

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

HARCOL RESEARCH, LLC

Plaintiff,

v.

EXCLUSIVE SUPPLEMENTS, INC.  
d/b/a BIORHYTHM

Defendant.

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CIVIL ACTION NO. 2:13-cv-715

**JURY TRIAL DEMANDED**

**NOTICE OF READINESS FOR STATUS CONFERENCE**

Pursuant to the Court's Standing Order Regarding Readiness for Status Conference, Plaintiff Harcol Research, LLC ("Harcol") hereby notifies the Court that this case is ready for scheduling conference. Defendant Exclusive Supplements, Inc. d/b/a Biorhythm ("BioRhythm") answered Harcol's complaint on October 25, 2013 (Dkt. 7).

**I. PENDING MOTIONS**

There are no pending motions in this case.

**II. RELATED CASES**

All of the following listed related cases involve a single patent, United States Patent No. 5,817,364:

- ***Harcol Research, LLC v. Europa Sports Products, Inc.***  
***d/b/a Europa Southwest DC;***  
**Civil Action No. 2:13-cv-228 (Lead Case)**  
**Consolidated with Civil Case Nos.:**  
**2:13-cv-229**  
**2:13-cv-230**  
**2:13-cv-231 (closed)**  
**2:13-cv-285 (closed)**  
**2:13-cv-286 (closed)**  
**2:13-cv-287**

- *Harcot Research, LLC v. Corr-Jensen Labs, Inc.*;  
2:13-cv-301
- *Harcot Research, LLC v. 6S, Inc. d/b/a Bodystrong*;  
2:13-cv-709
- *Harcot Research, LLC v. Bio-Engineered Supplements, and Nutrition, Inc.,  
d/b/a/ BSN*; 2:13-cv-710
- *Harcot Research, LLC v. Black Market Distribution, LLC*;  
2:13-cv-711
- *Harcot Research, LLC v. BNC Nutrition LLC d/b/a PrimaForce*;  
2:13-cv-712 **(closed)**
- *Harcot Research, LLC v. Cytosport, Inc.*;  
2:13-cv-713
- *Harcot Research, LLC v. Evogen, Inc.*;  
2:13-cv-714
- *Harcot Research, LLC v. Force Factor, LLC*;  
2:13-cv-716
- *Harcot Research, LLC v. HBS International Corp.*;  
2:13-cv-717
- *Harcot Research, LLC v. Joe Wells Enterprises, Inc. d/b/a Max Muscle Sports*;  
2:13-cv-718
- *Harcot Research, LLC v. LiveLong Nutrition, LLC*;  
2:13-cv-719
- *Harcot Research, LLC v. Magnum Nutraceuticals, Inc.*;  
2:13-cv-720
- *Harcot Research, LLC v. Muscle Sports Products, LLC  
d/b/a Muscle Sports International*;  
2:13-cv-721
- *Harcot Research, LLC v. Natrol, Inc. d/b/a MRI and ProLab*;  
2:13-cv-722
- *Harcot Research, LLC v. New Whey Nutrition d/b/a IDS Nutrition*;  
2:13-cv-723 **(closed)**
- *Harcot Research, LLC v. Nitro Sports Supplements, LLC  
d/b/a John Scott's Nitro*;  
2:13-cv-724
- *Harcot Research, LLC v. Nutrex Research, Inc.*;  
2:13-cv-725
- *Harcot Research, LLC v. Power Performance Products*;  
2:13-cv-726
- *Harcot Research, LLC v. San Nutrition Corp.*;  
2:13-cv-727
- *Harcot Research, LLC v. Science Defined Nutrition, Inc.*;  
2:13-cv-728
- *Harcot Research, LLC v. Scivation, Inc.*;  
2:13-cv-729 **(closed)**

- *Harcot Research, LLC v. Ultimate Nutrition, Inc.*;  
2:13-cv-730
- *Harcot Research, LLC v. Universal Nutrition, Inc.*;  
2:13-cv-731

**III. DATES OF MARKMAN HEARING/TRIAL IN RELATED CASES**

Civil Action No. 2:13-cv-228 is set for *Markman* hearing on July 15, 2014 at 9:00 a.m. (Notice by Court Resetting); Pretrial Conference on February 17, 2015 at 9:00 a.m.; and Trial on March 2, 2015 (Dkt. 45).

Dated: October 28, 2013

Respectfully Submitted,

By: /s/ William E. Davis, III  
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**ATTORNEY FOR PLAINTIFF  
HARCOT RESEARCH, LLC**

**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this document was served on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(a)(3)(A). Pursuant to Fed. R. Civ. P. 5(d) and Local Rule CV-5(d) and (e), all other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by email, on this the 28th day of October, 2013.

/s/ William E. Davis, III  
William E. Davis, III